

THE HON. RICARDO S. MARTINEZ
TRIAL DATE: 12/04/2023

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PACIFIC PLAZA LLC, a Washington Limited
Liability Company,

Plaintiff,

vs.

LANDMARK AMERICAN INSURANCE
COMPANY, a foreign insurer; IRONSHORE
SPECIALTY INSURANCE COMPANY, a
foreign insurer; STEADFAST INSURANCE
COMPANY, a foreign insurer; FALLS LAKE
FIRE AND CASUALTY COMPANY, a
foreign insurer; COMMERCIAL
INDUSTRIAL BUILDING OWNERS
ALLIANCE, INC., a foreign corporation; and
CLAIMS ADJUSTING GROUP, INC., a
foreign corporation,

Defendants.

No. 2:22-cv-01433-RSM

STIPULATED MOTION AND ORDER TO
CONTINUE TRIAL AND AMEND CASE
SCHEDULE

NOTE FOR: 4/17/2023

STIPULATED MOTION AND ORDER TO
CONTINUE TRIAL AND AMEND CASE
SCHEDULE (Cause No. 2:22-cv-01433-RSM) – 1
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I. STIPULATED MOTION

The parties through their undersigned counsel of record, hereby stipulate and jointly request that the Court continue the trial date and amend the case schedule (Dkt 16) pursuant to Fed. R. Civ. P. Rule 6 and LCR 10(g).

Good Cause exists for a continuance. In an effort to minimize expense and court resources, the parties have agreed to mediate this matter and agreed to stay discovery until 30 days following mediation. The parties have agreed to mediate with Judge John Erlick with Judicial Dispute Resolution. Unfortunately, as of March 2, 2023, Judge Erlick's earliest availability for mediation, was mid-July of 2023. The parties agreed to a mediation date of July 13, 2023. However, this date falls after the deadline for disclosing experts, and for filing motions related to discovery, and the deadline for discovery completion is less than 30 days after mediation. Because expert disclosures and discovery may need to be completed prior to dispositive motion practice, the dispositive motion deadline will also need to be continued. Finally, because the Court will need time to consider dispositive motions prior to trial, the trial date should also be continued. An amendment to the case schedule and continuance of the trial date will allow for the potential resolution of all claims through mediation, or if unsuccessful, a complete and orderly development of the case. For these reasons, the parties respectfully move the Court to amend the case schedule and extend the trial date in this matter as follows:

Event	Current Date	Proposed Date
Jury Trial Date	12/04/2023	3/04/2024
Disclosure of Expert Testimony	06/07/2023	09/07/2023
Deadline for Filing Motions Related to Discovery	07/07/2023	10/09/2023

Event	Current Date	Proposed Date
Discovery Completed by	08/07/2023	11/06/2023
Dispositive Motions to be filed by	09/05/2023	12/05/2023
Mediation		same
Agreed pretrial order due	11/22/23	02/22/2024
Motions in limine filed and noted on motion calendar no later than THIRD Friday Thereafter	11/22/23	02/22/2024
Trial briefs, proposed voir dire, jury instructions, agreed neutral statement of the case and deposition designations due by	10/20/2023	01/22/2024

DATED this 17th day of April, 2023.

s/ Sarah L. Eversole

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s/ Ryan Bisel (per electronic authorization)


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II. ORDER

The Court having reviewed the above Stipulated Motion, it is hereby ORDERED that the following deadlines are extended as follows:

Event	New Date
Jury Trial Date	3/04/2024
Disclosure of Expert Testimony	09/07/2023
Deadline for Filing Motions Related to Discovery	10/09/2023
Discovery Completed by	11/06/2023
Dispositive Motions to be filed by	12/05/2023
Mediation	same
Agreed pretrial order due	02/22/2024
Motions in limine filed and noted on motion calendar no later than THIRD Friday Thereafter	02/22/2024
Trial briefs, proposed voir dire, jury instructions, agreed neutral statement of the case and deposition designations due by	01/22/2024

DATED this 19th day of April, 2023.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on the date set forth below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

Attorney for Plaintiff

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SIGNED this 17th day of April, 2023, at Seattle, Washington.

s/ Traci Jay
Traci Jay